

## THE STATE CAPITAL

Passage of the Senate Bill on Removal  
of State Officers.

## RAPID TRANSIT IN THE SENATE.

## Legislation as to the Adulteration of Milk.

## REGULATING PILOTAGE RATES.

ALBANY, May 7, 1875.

The Removal bills, three in number, were before the Assembly to-day, and considerable discussion ensued upon their relative merits. A few days ago the Senators passed one bill giving the Governor power of suspension, and vesting trial and removal in their own body. Mr. Daly's bill proposed to give absolute power to the Governor over Canal Commissioners and the State Engineer. Mr. Waechner's proposition empowers the Court of Appeals to sit in judgment upon State officials after charges have been submitted by the Governor. These embody the principal features of the bills.

## TONE OF THE DEBATE.

The discussion lasted nearly the whole of the morning and afternoon session. Mr. Waechner, Mr. Alford, and Speaker McGuire made the leading speeches in opposition to the principle of absolute removal. Messrs. Duly, Schuyler and others supported it. The arguments were able and brief of that buncome character which has become so prevalent in debate among members of both houses during the present session. Speaker McGuire was particularly happy in his address, exhibiting clear, statesmanlike views of the subject. This was in strong contrast with the bitter personal antagonism the gentleman has sometimes exhibited during the progress of former debates.

A special session from four to seven o'clock was held for the purpose of finishing the discussion. The whole time was thus occupied, and Speaker McGuire again addressed the House. Mr. T. C. Campbell and Mr. Desser made speeches in advocacy of Mr. Daly's measure. It was plainly to be seen, however, from the start that the Senate bill was the favorite of the three propositions. Scathing remarks were made by the gentleman supporting this measure against the policy of clothing any Governor with power to remove officials elected by the people on the same ticket with himself. When the debate was concluded, Mr. Daly moved to substitute his bill for that passed by the Senate. Some twenty-four democrats, together with all the republican members of the House present, voted against this proposition, and the Senate bill then came up on its final passage. Every member in the House, with the exception of Mr. Davis, of Washington, voted in favor of the bill, the vote standing 102 to 1. Thus ended the protracted fight on this important measure, which had taken up, in connection with the inspectors' bill, probably three weeks' exclusive attention of the Legislature.

## RAPID TRANSIT.

The Common Council rapid transit bill having passed the Senate, came down to the House to day, and on motion of Mr. Huston, was ordered to a third reading. Some needed amendments to the bill were made in the Senate, the only one of importance being that which prohibits the construction of a new transverse road under the Hudson River. The amendment is intended in connection with the proviso mentioned specifically as to operating a road either on Broadway or Fifth Avenue below Fifty-ninth street.

The question was then on Mr. Waechner's motion to adopt the bill giving the power of suspension to the Governor and Common Council, to serve for two years. The other, under the title of "An act to empower the Governor to remove officials by suspending them, and of making compensation for their services," was introduced in connection with the proviso mentioned specifically as to operating a road either on Broadway or Fifth Avenue below Fifty-ninth street.

This bill was then ordered to be reported to the House. Mr. Alford, Dally, and Mr. Desser moved to substitute their bill for this one. Mr. Alford moved to substitute his bill, and argued that everybody charged with crime was entitled to trial, even the meanest thief. He referred to the time when the court martial of King Charles I. was held, when the counsel of the King attempted to deprive an obscure citizen of his life without the signature of the Comptroller and Treasurer; and yet these act mentioned officers may be suspended for a term of months, or even indefinitely—preposterous absurdity! Again, it is said the Senate is a political body, and not the Governmental body represented. You take away the power of appointment from the Senate, and then you put the Governor in his place. He is asked why there should be any discrimination, why try the Comptroller, secretary of State and members of the Board of Canal Commissioners to trial in this city, while the Mayor of New York has the power of removal and this one. In the case of the Mayor that official has the power of removal, but not the Governor. The Governor does not want the bill, but whether he wanted it or not was not the question here. It is our duty to make him do what we can to do, and to make him do what we can to do. The Colonists did everything they had dear in life to secure self-government, and yet at this late day are we asked to sacrifice our self-government? It is claimed, "that the Governor does not ask for the bill." For himself, he did not want to force a law upon the Governor if he does not want it. He read ironical comments on the bill, and said, "that the Governor did not want the bill, but whether he wanted it or not was not the question here. It is our duty to make him do what we can to do."

Mr. Waechner, from the Judiciary Committee, to-day reported favorably the bill introduced by Mr. F. J. Campbell, designating and arranging the fees to be charged by photo.

## SIXTY-EIGHTH SECTION.

The New York and Brooklyn Bridge Company bill passed the Senate to-day, with an amendment limiting the expenditure on the structure to \$4,000,000.

## THE PROCEEDINGS.

SENATE, May 7, 1875.

**MILLS PASSED.**

For the better security of railroad employees in obtaining their wages.

Authorizing the recovery of money due for paving Broadway, New York city, from Fourteenth Street to Bowery.

The concurrent resolution for the reduction of canal tolls was taken from the table, and, after debate, made the following:

Mr. Lowry moved to reconsider the vote by which the Broadway Pavement bill passed this morning, which was carried, and the bill was laid over for another vote. The vote was unanimous, and did not vote—Messrs. Beardmore, Benedict, Berry, Burns, Christopher, Farley, French, Johnson, Ketcham, Kettell, Lawton, McMurtry, Sherman, Shiel, Slingland, Talmage, W. Taylor, West and Woodward.

## OBITUARY.

ALBANY, May 7, 1875.

**THE REMOVAL BILL.**

The House went into Committee on these bills, first taking up the Senate bill, which provides for trials by the Senate.

Mr. WAECHNER moves to substitute the first section of the House bill, which provides for trials by the Court of Appeals.

Mr. DALY moved to substitute the provision of the other House bill, which provides for absolute removal by the Governor and limiting the action to the Canal Commissioners and State Engineer.

Mr. WAECHNER opposed this motion, on the ground that the policy of the State has been to elect their State officers, and preserve their independence from any other branch of the government. Why, he asked, should some office be subject to another? The bill, he argued, had the same effect as the one which was anomalous in violation of the oath of members here, in violation of the spirit of the constitution, and in violation of the principles of the Declaration of Independence.

He said the act of singeing these orders out at which these bills are aimed is a blow upon them. They are not aimed at the Senate, but at the people. He contended that there was, in fact, no reason for any removal bill at this time.

Mr. DALY followed, calling attention to the fact that the Senate bill, Mr. Waechner's, was introduced a few weeks ago, and others here in favor of increased force and power for the Mayor of New York. Why, he asked, did the Senate not act? The bill, he said, was introduced that there should be increased responsibility placed upon the Governor, and with increased responsibility, increased responsibility.

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